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09/746,103	12/21/2000	Allan J. Hinchey	11775ROUS01U	2209

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EXAMINER

ELAHEE, MD S

ART UNIT	PAPER NUMBER
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2697

DATE MAILED: 09/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/746,103

Applicant(s)

HINCHEY ET AL.

Examiner

Md S Elahee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6, 9-19 and 21-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Friedes et al. (U.S. Patent No. 5,311,572).

Regarding claim 1, Friedes teaches receiving a call request, the call request comprising originating information being for a telephony call (abstract; col.4, lines 4-15, col.9, lines 33-48; ‘originating’ reads on the claim ‘input’).

Friedes further teaches determining at least one call originating information from the input information (col.4, lines 4-15, col.6, lines 30-45, col.9, lines 33-48; ‘originating information’ reads on the claim ‘attribute’).

Friedes further teaches transmitting a routing policy request to query a database (col.4, lines 4-15, col.6, lines 30-45; ‘database’ reads on the claim ‘route database’).

Friedes further teaches responsive to the routing policy request, receiving a routing policy response, the response comprising at least one routing label (col.4, lines 15-39; ‘routing label’ reads on the claim ‘routing parameter’).

Friedes further teaches using the at least one routing parameter to influence call set up (col.4, lines 15-39, col.9, lines 33-48).

Regarding claims 2 and 15, Friedes teaches that the at least one routing parameter comprising a selected route (col.9, lines 33-48; 'selected' reads on the claim 'preferred').

Regarding claims 3 and 16, Friedes teaches that the at least one routing parameter further comprising an alternate route (col.9, lines 33-48).

Regarding claims 4 and 17, Friedes teaches that the originating information comprises a dialed number (col.4, lines 4-15; 'originating' reads on the claim 'input' and 'dialed number' reads on the claim 'called alias').

Regarding claims 5 and 18, Friedes teaches that the dialed number is a telephone number (col.4, lines 4-15; 'dialed number' reads on the claim 'called alias').

Regarding claims 6 and 19, Friedes teaches that the telephone number is inherently qualified to conform to a numbering plan.

Regarding claims 9 and 21, Friedes teaches that the endpoint label is an alphanumeric alias associated with a telephony device (col.4, lines 39-43, col.12, lines 19-23; 'endpoint label' reads on the claim 'called alias').

Regarding claims 10 and 22, Friedes teaches that the routing policy response selects a route from the database according to the at least one call originating information (col.4, lines 4-15, col.6, lines 30-45, col.9, lines 33-48; 'database' reads on the claim 'route database' and 'originating information' reads on the claim 'attribute').

Regarding claims 11 and 23, Friedes teaches that a routing policy accesses the database for alias to endpoint mapping data (col.4, lines 4-15, col.6, lines 30-45, col.9, lines 33-48; 'database' reads on the claim 'route database').

Regarding claim 12, Friedes teaches that the input information originates from one of a calling endpoint device (abstract; fig.1; col.4, lines 4-15, col.6, lines 30-45).

Regarding claim 13, Friedes teaches a processor adapted to derive at least one call originating information from a call request for a telephony transmission (col.4, lines 4-15, col.12, lines 19-35; 'processor' reads on the claim 'controller' and 'originating information' reads on the claim 'attribute').

Friedes further teaches a database communicatively coupled to the processor, the database being adapted to receive a routing policy request from the processor, and transmit a routing policy response having at least one routing parameter, the routing policy response generated responsive to a routing policy request based on the at least one call originating information (col.4, lines 4-15, col.6, lines 30-45, col.9, lines 33-48, col.12, lines 19-35; 'database' reads on the claim 'route database', 'processor' reads on the claim 'controller' and 'originating information' reads on the claim 'attribute').

Regarding claims 24 and 27, Friedes teaches receiving a call request, the call request being for a telephony call (abstract; col.4, lines 4-15, col.9, lines 33-48; 'originating' reads on the claim 'input').

Friedes further teaches deriving at least one call originating information from the call request (col.4, lines 4-15, col.6, lines 30-45, col.9, lines 33-48; 'originating information' reads on the claim 'attribute').

Friedes further teaches transmitting a routing policy query request to a database, the routing policy request based on the at least one call originating information (col.4, lines 4-15,

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col.6, lines 30-45; 'database' reads on the claim 'route database' and 'originating information' reads on the claim 'attribute').

Friedes further teaches receiving a routing policy response from a database, the routing policy response comprising at least one routing label (col.4, lines 4-39, col.6, lines 30-45; 'database' reads on the claim 'route database' and 'routing label' reads on the claim 'routing parameter').

Friedes further teaches utilizing the at least one routing parameter to influence control of call set up (col.4, lines 15-39, col.9, lines 33-48).

Regarding claim 25, Friedes teaches a LEC switch 103 for receiving a call request for a telephony call, the call request comprising alias information for the telephony call (fig.1; col.4, lines 4-15, col.6, lines 30-61; 'LEC switch 103' reads on the claim 'ingress call server having a receiver').

Friedes further teaches a processor adapted to derive at least one call originating information from a call request (col.4, lines 4-15, col.12, lines 19-35; 'processor' reads on the claim 'controller' and 'originating information' reads on the claim 'attribute').

Friedes further teaches a transmitter for transmitting a routing policy query request comprising the at least one call originating information (col.4, lines 4-15, col.6, lines 30-45; 'originating information' reads on the claim 'attribute').

Friedes further teaches a receiver for receiving a routing policy query request (col.4, lines 4-39, col.6, lines 30-45).

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Friedes further teaches a processor adapted to translate at least one call originating information to endpoint routing information (fig.13, fig.14; col.4, lines 4-15, col.12, lines 19-35, col.15, lines 62-67, col.16, lines 1-10, 60-67; 'processor' reads on the claim 'controller' and 'originating information' reads on the claim 'attribute').

Friedes further teaches a transmitter for transmitting a routing policy query response comprising the endpoint routing information (col.4, lines 4-15, col.6, lines 30-45, col.15, lines 62-67, col.16, lines 1-10, 60-67).

Regarding claim 26, Friedes teaches a LEC switch 121 comprising a receiver to receive a call server transfer signal from the LEC switch 103, the call server transfer signal defining call server transfer instructions from the LEC switch 103 to the LEC switch 121 (fig.1; col.4, lines 4-15, col.6, lines 30-68, col.7, lines 1-8; 'LEC switch 121' reads on the claim 'egress call server having a receiver' and 'LEC switch 103' reads on the claim 'ingress call server having a receiver').

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Friedes et al. (U.S. Patent No. 5,311,572) and in view of Lehmacher et al. (U.S. Patent No. 6,343,123).

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Regarding claim 7, Friedes fails to teach "the numbering plan conforms to the ITU-T E.164 standard". Lehmacher teaches that the numbering plan conforms to the ITU-T E.164 standard (col.1, lines 53-56). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Friedes to have the numbering plan conformed to the ITU-T E.164 standard as taught by Lehmacher. The motivation for the modification is to have doing so in order to provide a universal international toll-free phone number in the international numbering area.

5. Claims 8 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Friedes et al. (U.S. Patent No. 5,311,572) and in view of Gudjonsson et al. (U.S. Patent No. 6,564,261).

Regarding claims 8 and 20, Friedes fails to teach "the called alias is a Uniform Resource Locator (URL)". Gudjonsson teaches that the called alias is a Uniform Resource Locator (URL) (col.35, lines 13-18). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Friedes to have the called alias as a Uniform Resource Locator (URL) as taught by Gudjonsson. The motivation for the modification is to have doing so in order to have other form of originating information.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alam Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (703)305-4717. The fax phone numbers for the



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organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

*M.E.*

MD SHAFIUL ALAM ELAHEE

August 27, 2003

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to be 'Fan Tsang', written in a cursive style.